

In 1991 EPA Region 6 Issued the First Field Citation In the Nation

With roughly 2 million regulated underground storage tanks nationwide, EPA and states realized that traditional enforcement needed to be supplemented with a creative cost-effective tool. In 1991, EPA launched "field citations" as a new and important enforcement tool. Later that year, EPA Region 6 issued the first field citation in the nation. Based on our successful work, the field citation program was expanded to other media.

In 1991, Region 6 determined that in light of the large universe of tanks and the need to inspect a great number of sites, an "on-the-spot" enforcement approach was needed. For first-time violators with easily correctable violations, an "on-the-spot" enforcement approach was determined to be an effective alternative to traditional enforcement. The concept is much like a traffic cop writing speeding tickets. The enforcement action is immediate and it involves a small fine, typically \$50-\$300 per violation. The citation begins a 30-day time span for an owner or operator to accept a settlement agreement, correct violations and submit payment of the penalty.

UST Regulations and the Size of the UST-Universe

When the federal UST regulations were promulgated in 1988 the universe of regulated storage tanks was about 2 million. Not only were there a large number of tanks in the United States and territories, but tanks were located in a variety of settings – local gas stations, police departments, rental agencies, state governments, federal facilities, farms, airports and many other locations. This large universe of regulated tanks and the limited resources available demanded a new innovative approach to enforcement. The field citation program advocated by Region 6 was just the approach that was needed.

Although field citations are not the only enforcement tool EPA uses for enforcement of the UST regulations, it has proven to be very useful in the UST program and has saved much time and effort for EPA, states and the regulated community in achieving compliance. Since the first federal field citation was issued in 1991, Region 6 has conducted over 1,000 UST compliance inspections and has issued over 600 field citations resulting in the collection of over \$386,000 in penalties.

According to John Cernero, the Region 6 Enforcement Officer who issued the first field citation, "The field citation program has not only made enforcement of the UST regulations more efficient for the Agency, it has greatly enhanced our ability to achieve compliance expeditiously since owners and operators agree to correct violations within 30 days as part of the field citation settlement." He said, "Owners and operators have more incentive to be in compliance before our inspections since they know that an on-the-spot penalty can be issued if an inspector finds them out of compliance."

For more information about the Region 6 program contact John Cernero at 214-665-2233.